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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/818,185 03/14/97 SCHNIER

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EXAMINER

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ART UNIT	PAPER NUMBER

2756

DATE MAILED:

05/07/99

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/818,185

Applicant(s)
Schneider

Examiner
Thong Vu

Group Art Unit
2756



☒ Responsive to communication(s) filed on Feb 22, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-36 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-36 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed Feb 22, 1999 have been fully considered but they are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1,5-9,18,21-23,26,27,29, 30 are rejected under 35 U.S.C. § 103 as being unpatentable over Bezviner et al [5,737,607] in view of Cheng et al [5,793,365]

As per claim 1, Bezviner et al disclose *a computer program including a object reference server mechanism or server process for bootstrapping a remote second apparatus or browser, said object reference server mechanism delivering an object reference for a naming context object to said remote second apparatus upon request of said second apparatus* by saying the first object in a first address space or object reference server; a second object in a second address or second apparatus [col 2 line 41-59]; and the bootstrapping a remote second apparatus such as a process bootstrapping communication which activating, invoking and calling a object [col 6 line 53-58]. Bezviner also disclose the signal bearing media , the recordable media and transmission media such as local hard disk [Bezviner col 4 line 12-18] .However Bezviner did not teach *the naming context object* . Cheng et al taught an information system which has distributed object

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name services including shared properties, disclosed *one or more files are constructed which exist in the file system, each of the files capturing the semantics of the naming context object* [Cheng col 3 line 10-13]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the naming context module in an information system as taught by Cheng into the data processing system of Bezviner in order to provide the persistence of name object bindings between servers and clients communications. By this rationale claim 1 is rejected.

As per claims 5,6, Bezviner-Cheng disclose *the object reference comprises a stringified object reference* [Cheng col 3 line 65] and *a root naming context object* [Cheng col 5 line 50-col 6 line 15] . By this rationale claims 5,6, are rejected

Claims 7-9,18, 21-23,26, 27,29,30 contain the same limitations that were addressed in rejecting claims 1, 4, 5, 6 above. By the same rationale applied above, claims 7-10, 18,21,26, 27 are rejected.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4,10-17,19,20,24,25,28,31-36 are rejected under 35 U.S.C. § 103 as being unpatentable over Bezviner et al [5,737,607] in view of Cheng et al [5,793,365] and further in view of Elliott et al [5,867,495]

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As per claims 2-4,10,11,13-17,19,20,31-36 Bezviner-Cheng did not teach *a web server, browser, web application, URL, web server directory, Java applet*. However Elliott et al in his application on hybrid network, disclosed web server [Elliott col 3 line 6, col 55 line 1]; web browser [Elliott col 10 line 19]; web application such as E-mail [Elliott col 8 line 18]; web server directory [Elliott col 9 line 24, col 17 line 17]; URL [Elliott col 57 line 59]; Java applet [Elliott col 58 line 34]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the Bezviner-Cheng computer program which has a object reference server mechanism delivering an object reference for a naming context object into Elliott network which has web server running Java applet in order to provide the persistence of the bindings between the client/server communications. By this rationale claims 2-4,10,11,13-17,19,20,31-36 are rejected.

Conclusion

4. All claims are rejected.
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Cook et al Agent Based Instruction System and Method [USP 5,727,950]

- Serlet et al Method for Providing Automatic and Dynamic Translation of Object Oriented Programming Language-Based Message Passing into Operation System Message Passing Using Proxy Objects [USP 5,481,721]

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory

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action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703) 305-4643. The examiner can normally be reached on Monday-Thursday from 6:30AM- 4:00PM. The examiner can also be reached on alternate Fridays during the same hours.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Frank Asta*, can be reached on (703) 305-3817 or via e-mail addressed to [*frank.asta@uspto.gov*]. The fax number for this Group is (703) 308-5358.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [*thong.vu@uspto.gov*].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thong Vu
May 4, 1999


FRANK J. ASTA
SUPERVISORY PATENT EXAMINER
GROUP 2700